

# WOLFF & SAMSON

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MICHELE S. KAYNE\*  
STACY KRIEGER\*  
JOHN D. LUKANSKI\*

September 3, 1999

Mr. Stan Mokar, President  
Active Water Jet  
Foot of South Wood Avenue  
Tremley Point Peninsula  
P.O. Box 4367  
Linden, NJ 07036

Re: Access Agreement  
LCP Chemicals, Inc. Property  
Linden, New Jersey

Dear Mr. Mokar:

ISP Environmental Services Incorporated ("ISP"), has entered into an Administrative Order on Consent with the United States Environmental Protection Agency ("EPA"), to conduct a Remedial Investigation and Feasibility Study on the LCP Chemical site located off of South Wood Avenue on the Tremley Point Peninsula in Linden, New Jersey (the site). As Active Water Jet is located on the above-referenced site, ISP hereby requests on its behalf and on behalf of its authorized contractor, permission to perform the investigation. The activities which will be performed under the supervision of ISP's contractor URS Greiner Woodward Clyde ("contractor"), could include the installation, sampling and maintaining of ground water monitoring wells or other recovery/interceptor wells or such other environmental/related equipment or activities needed to complete its environmental investigation (the work).

By this letter, ISP requests permission to enter Active Water Jet premises to perform the work in accordance with the following terms and condition:



**WOLFF & SAMSON**

Mr. Stan Mokar, President

September 3, 1999

Page 2

1. ISP and its contractor shall take reasonable precautions to minimize damages to the premises from the work and shall restore said premises to as close to the original condition as reasonably possible within thirty (30) days after the completion of the work.

2. ISP and its contractor will give you advance notice of the date on which ISP or its contractor plans to enter the premises for the purpose of performing the work contemplated by this Access Agreement.

3. ISP and its contractor will not impede ingress or egress of trucks from the Active Water Jet premises.

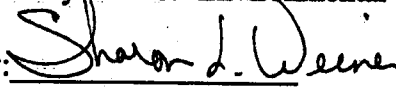
4. ISP and its contractor will indemnify, hold harmless and defend Active Water Jet for any negligent activities of the contractor conducted on the site.

5. If it becomes necessary for ISP or its contractor to utilize electric power in the performance of its activities on the premises, ISP or its contractor will reimburse Active Water Jet for the electricity actually used by paying the difference between the average of previous electric bills and utility bills which reflect this additional usage.

ISP understands that this is a temporary access agreement and, therefore, intends to continue its access only as long as ISP is required to complete the required activity on the site as required by the Consent Order in accordance with the requirements of the governmental agency existing jurisdiction over the project.

If the above stated terms and conditions are acceptable to you, please so indicate by executing an enclosed copy herewith in the space provided below and return the executed copy to my attention. This request is sent to you pursuant to New Jersey Statute 58:10B-16 (1966). Please respond to this request within fifteen (15) days of receipt of this letter. If you have any questions or need additional information, please contact me.

Very truly yours,  
Wolff & Samson  
Attorneys for ISP Environmental Services

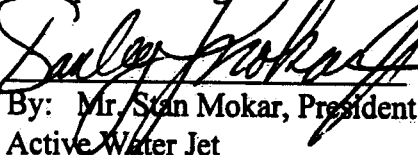
By:   
SHARON L. WEINER

SLW:jmc

cc: Muthu Sundram, Esq.

Celeste Wills, Esq.

Accepted and Agreed to

  
By: Mr. Stan Mokar, President  
Active Water Jet

Date: 9-10-99

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September 13, 1999

Muthu Sundram, Esq.  
Assistant Regional Counsel  
Office of Regional Counsel  
US Environmental Protection Agency - Region II  
290 Broadway, 17<sup>th</sup> Floor  
New York, NY 10007

**Re: LCP Chemicals Site, Linden, New Jersey  
Active Water Jet Access Agreement  
EPA Order Index No. II-CERCLA-02-99-2015**

Dear Muthu:

Enclosed is a copy of the access agreement executed by Mr. Mokar on behalf of Active Water Jet.

Very truly yours,

*Shari*  
SHARON L. WEINER

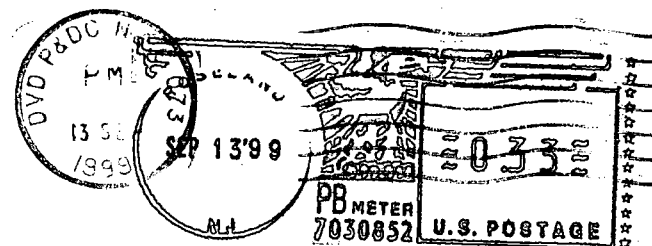
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Enclosure

cc: Patricia Simmons  
Nelson Johnson, Esq.

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10007-1802-14

